

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )      **Case No. 05-cr-30071-SMY**  
                                )  
JAMELL C. NEWBERN,        )  
                                )  
Defendant.                 )

**MEMORANDUM AND ORDER**

**YANDLE, District Judge**

This matter comes before the Court on Defendant Jamell C. Newbern's *pro se* Motion to Reduce Sentence (Doc. 60) and Request for Permission to File a Motion for Leave to Amend his First Step Motion (Doc. 68). "Representation by counsel and self-representation are mutually exclusive" *Cain v. Peters*, 972 F.2d 748, 750 (7th Cir. 1992). As such, a litigant does not have a right to file his own motions when he is represented by counsel and any such motion filed will be stricken as improper. See *Hayes v. Hawes*, 921 F.2d 100, 102 (7th Cir. 1990) (*per curiam*); *United States v. Gwiazdzinski*, 141 F.3d 784, 787 (7th Cir. 1998).

Assistant Federal Public Defender Ethan Skaggs entered an appearance on behalf of Newbern on December 2, 2019 (Doc. 51). Accordingly, the Court **DIRECTS** the Clerk of Court to **STRIKE** Newbern's *pro se* filings (Docs. 60, 68). Newbern should contact the Federal Public Defender's office for a status update on his case.

**IT IS SO ORDERED.**

**DATED:** February 24, 2021

  
Staci M. Yandle  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

**STACI M. YANDLE**  
United States District Judge